

RECORD OF COMMUNICATION

Subject: Well Treatment Fluids Requirements for the Final OCS Permit

Date: December 16, 2013

From: Elizabeth Sablad, Region 9 (415) 972-3044

David Smith, Region 9 (415) 972-3464

To: Alison Dettmer, CCC, 415-904-5205

Elizabeth and David called Alison Dettmer of the California Coastal Commission (CCC) to discuss the status of their review of Region 9's proposed revisions to the permit language addressing well treatment fluids for Region 9's final general NPDES permit No. CAG280000 for offshore oil and gas facilities. We had provided the revised language in a letter to the CCC staff dated December 9, 2013.

Alison stated that staff would not be able to provide specific feedback on the latest language revisions until sometime in the new year, as the Director is out of the office. Alison clarified she believes the CCC concurrence issued in June 2013 is still in effect and not on hold, and she understands we may need to proceed with permit issuance now. She does not intend to stand in the way of permit action at this time, although she expects the Commission may want to revisit the concurrence based on what they hear at the February briefing and in follow-up actions. Alison indicated she understood that in line with their formal concurrence, we could issue the permit without the new language. Alison also stated that staff preferred the prior revised language but have not concluded the latest revised language is unacceptable; moreover, she indicated the Commission might seek even more than the prior revised permit language required if they reopen the concurrence process.

David explained to Alison that our authorities to require reporting of information not specifically related to discharges are limited and Alison agreed it might make more sense for CCC to work with DOI to obtain more information about fracking activity that may not be related to wastewater discharge. David indicated our willingness to participate in those discussions with the Commission next year, but also explained why we are interested in proceeding with the permit now, with the new language included, so we can begin to have the permittees collect the required information.

In a follow-up call between Elizabeth and Alison, which occurred directly after this call, Alison agreed that the Commission may want to revisit the concurrence regardless of whether or not we issue the permit at this time.